## UNITED STATES DISTRICT COURT

for the

Southern District of New York				
DIANA PIZZUTI				
Plaintiff(s) v.  CITY OF NEW YORK, POLICE COMMISSIONER JAMES O'NEILL, and FIRST DEPUTY POLICE COMMISSIONER BENJAMIN TUCKER  Defendant(s)	) ) Civil Action No. 19-cv-07026 ) ) ) )			
SUMMONS IN A CIVIL ACTION				
To: (Defendant's name and address) FIRST DEPUTY POLIC 1 Police Plaza New York, NY 10007	E COMMISSIONER BENJAMIN TUCKER			
A lawsuit has been filed against you.  Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you				
are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:  John W. Moscow  LEWIS BAACH KAUFMANN MIDDLEMISS PLLC  The Chrysler Building  405 Lexington Avenue, 62nd Floor  New York, NY 10174  (212) 826-7001				
If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.				
	CLERK OF COURT			
Date:	Signature of Clerk or Deputy Clerk			

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 19-cv-07026

## PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (1))

	This summons for (name	e of individual and title, if any)			
was rec	ceived by me on (date)	·			
	☐ I personally served t	he summons on the individua	l at (place)		
			on (date)	; or	
	☐ I left the summons at the individual's residence or usual place of abode with (name)				
	, a person of suitable age and discretion who resides there,				
	on (date), and mailed a copy to the individual's last known address; or				
	☐ I served the summons on (name of individual) , who				
	designated by law to accept service of process on behalf of (name of organization)  on (date)  ; or				
	☐ I returned the summer	ons unexecuted because			
	☐ Other (specify):				
	My fees are \$	for travel and \$	for services, for a total of \$	0.00	
	I declare under penalty of perjury that this information is true.				
Date:					
	Server's signature				
			Printed name and title		
			Server's address		

Additional information regarding attempted service, etc: